



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

From:	Presidency
To:	Delegations
No. Prop.:	PE CONS 1/10 + 5673/10 + 5674/10 + 5676/10
No. Prev. doc.:	10420/10 DROIPEN 58 COPEN 128 CODEC 501
Subject:	Initiative of the Kingdom of Belgium, the Federal Republic of Germany, the Republic of Estonia, the Kingdom of Spain, the French Republic, the Italian Republic, the Grand-Duchy of Luxembourg, the Republic of Hungary, the Republic of Austria, the Portuguese Republic, Romania, the Republic of Finland and the Kingdom of Sweden for a Directive of the European Parliament and of the Council on the rights to interpretation and to translation in criminal proceedings - Draft declaration by the Council on the period of implementation

1. On 27 May 2010, when COREPER examined the outcome of the trilogue negotiations on the above Directive, various Member States asked to extend the period for implementation of the Directive, as referred to in Article 7(1), from 24 to 48 months.
2. The President of COREPER made it clear that 48 months was too much, but he promised to seek to get 36 months agreed. ¹

¹ As a consequence, the period mentioned in Article 8 for submission of the report by the Commission was put at 48 months.

3. Following contacts with the European Parliament and the Commission regarding these modifications, the Presidency suggests that the following declaration by the Council be inserted into the minutes of the Council meeting at which the Directive will be finally adopted:

The Council notes that according to Article 7(1), the Member States have to implement this Directive into their national legal orders within a period which ends 36 months after publication of the Directive in the Official Journal. The Council encourages the Member States to implement the Directive as soon as possible, before the end of the said period. The Council acknowledges that the period of 36 months for implementation of this Directive does not constitute a precedent for the period of implementation that has to be agreed upon in respect of the other measures that are to be adopted on the basis of the "Roadmap for strengthening procedural rights of suspected and accused persons in criminal proceedings"².

² OJ C 295, 4.12.2009, p. 1.